

DRAFT

Code of Conduct

Glinton Parish Council

To be considered by this Council on 15th May 2018

The members code of conduct is based on The Parish Councils (Model Code of Conduct) Order 2001 SI 3576 of 2001 applicable to Parish councils in England

This code should also be read in conjunction with Glington Parish Council's Standing Orders, Financial Regulations and other adopted policies which underpin the conduct of the affairs of the parish council

The Members' Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the council.

The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

- i. **Selflessness**
Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- ii. **Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- iii. **Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- iv. **Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- v. **Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- vi. **Honesty**
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii. **Leadership**
Holders of public office should promote and support these principles by leadership and example.

PART 1 GENERAL PROVISIONS

1. Introduction and Interpretation

1.1. This Code applies to **you** as a member of Glinton Parish Council (Glinton PC). It is **your** responsibility to comply with the provisions of this Code.

1.2. In this code –

“Member”

means any person who is an elected member of the Glinton PC

“Meeting”

means any meeting of

a) Glinton PC;

b) Any of Glinton PC’s working groups or working party’s,

“Monitoring Officer”

means the Monitoring Officer of Peterborough City Council

“Pending Notification”

means the interest has been notified to the Monitoring Officer, but has not been entered in the Register;

“Register”

means the register of Member’s interests, maintained by the Monitoring Officer

“Relevant Authority”

includes any other principal council in England and any other parish council

2. Scope

2.1. **You must** comply with this Code whenever you act, claim to act or give the impression you are acting as a Member of Glinton PC.

2.2. Where you act as a representative of Glinton PC:

(a) on another Relevant Authority, **you must**, when acting for that other authority, comply with that other authority's code of conduct or;

(b) on any other body, **you must**, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General Obligations

3.1. **You must** treat others with respect.

3.2. **You must not:**

- (a) do anything which may cause Ginton PC to breach the Equality Act 2010
- (b) bully any person
- (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant;
 - (ii) a witness; or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with this code of conduct
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, Ginton PC

4. **You must not:**

- 4.1. disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (a) you have the consent of a person authorised to give it;
 - (b) you are required by law to do so;
 - (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (d) the disclosure is:
 - (i) reasonable and in the public interest; and
 - (ii) made in good faith and in compliance with the reasonable requirements of Ginton PC; or
- 4.2. prevent another person from gaining access to information to which that person is entitled by law.
- 5. **You must** not conduct yourself in a manner which could reasonably be regarded as bringing your office or Ginton PC into disrepute.

6. **You must:**

- 6.1. not use or attempt to use your position as a member improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage; and
- 6.2. when using or authorising the use by others of the resources of Ginton PC:
 - (a) act in accordance with Ginton PC's reasonable requirements;
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and

6.3. have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

7. **You must:**

7.1 when reaching decisions on any matter, have regard to any relevant advice provided by the Parish Clerk or the Monitoring Officer, where that officer is acting pursuant to their statutory duties.

7.2 give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by Glington PC.

**PART 2
INTERESTS**

8. **Disclosable Pecuniary Interests**

8.1. Disclosable pecuniary interests are specified in the table below:

| <i>Subject</i> | <i>Prescribed description</i> |
|---|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from Glington PC) for any expenses incurred by you in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract with Glington PC: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. This includes a contract between Glington PC and any body in which you, or a person specified in paragraph 8.2(b) below, has a beneficial interest |
| Land | Any beneficial interest in land which is within Glington PC's area |
| Licences | Any licence (alone or jointly with others) to occupy land in the Glington PC's area for a month or longer. |

| | |
|---------------------|---|
| Corporate Tenancies | <p>Any tenancy where (to your knowledge):</p> <p>(a) the landlord is Ginton PC; and</p> <p>(b) the tenant is a body in which you, or a person listed in paragraph 8.2(b) below, has a beneficial interest</p> |
| Securities | <p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to your knowledge) has a place of business or land in Ginton PC's area; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the person in paragraph 8.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |

8.2 You must declare an interest if:

- (a) it is your interest, or
- (b) it is an interest of:
 - (i) your spouse or civil partner;
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

9. Other Disclosable Interests

You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25

10. Registration of Disclosable Pecuniary Interests and Other Interests

10.1. Subject to paragraph 12 below (sensitive interests), you must, within 28 days of:

- (a) this Code being adopted or applied by Ginton PC; or
- (b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

- 10.2. Subject to paragraph 12 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

11. Disclosable Pecuniary Interests in Matters Considered at Meetings

- 11.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:
- (a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter
 - (b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and
 - (c) whether the interest is registered or not you must not unless you have obtained a dispensation from the Parish Clerk to participate, or participate further, in any discussion of the matter at the meeting
 - (d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit Committee participate in any vote, or further vote, taken on the matter at the meeting.

12. Sensitive Interests

- 12.1. Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

13. Other interests

- 13.1. Beyond the **disclosable interests**, you should consider that you have an obligation not to do anything that brings the office of councillor or Glington Parish council into disrepute. You are responsible for decisions as to whether or not to disclose an interest and whether or not it is prudent to take part in the discussions or decision on a topic. You may consider that you have a **prejudicial** interest in matters affecting close family members who do not live with you. This could include Brothers, Sisters, Sons, Daughters or those related by marriage.
- 13.2. Similarly you may consider yourself to have a **prejudicial** interest if the matter under discussion affects a person or organisation of which you are a member, or employed on a purely voluntary basis.
- 13.3. In all these you should be guided by how your actions may be **perceived** by others

PART 3 RELATED DOCUMENTS

The following documents also provide guidance on this Code of Conduct. These documents can be found in the Peterborough City Council Constitution.

Process for dealing with complaints

The Audit Committee Rules of Procedure set out the arrangements for dealing with a complaint that there has been an alleged breach of this Code. These rules apply equally to complaints made against both City Council and parish council members.

Other guidance

The following documents may also prove useful for parish council members to refer to when carrying out their duties as a parish councillor. These codes and protocols are however instructive only.

- PCC's Planning Code of Conduct deals specifically with the Code of Conduct within the remit of the Planning and Environmental Protection Committee
- PCC's Social Media Code for members and officers sets out appropriate behaviour when undertaking Council business through social media
- PCC's Member/Officer Protocol sets out how members and officers should work together
- The procedures under which registration and declaration of interests, gifts and hospitality are to be made are set out in the Gifts and Hospitality Policy.